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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

**Gail Medeiros, Tracy T.
Bomberger, Peter Morrissey, and
Julie Pulatie, individually and on
behalf of all others similarly
situated,**

Plaintiffs,

v.

**HSBC Card Services Inc. and
HSBC Technology & Services
(USA) Inc.,**

Defendants.

Case No: 3:14-cv-01786-JLS-MDD

Class Action

**Notice of Motion and Plaintiffs'
Unopposed Motion For
Preliminary Approval Of Class
Action Settlement**

Date: 8/20/15

Time: 1:30 PM

Judge: Hon. Janis L. Sammartino

1 NOTICE IS HEREBY GIVEN that on **Thursday, August 20, 2015 at 1:30**
2 **PM**, or as soon thereafter as the matter may be heard of the above captioned court,
3 located at 333 West Broadway, San Diego, CA 92101, Plaintiffs GAIL MEDEIROS
4 (“Medeiros”), TRACY T. BOMBERGER (“Bomberger”), PETER MORRISSEY
5 (“Morrissey”) and JULIE PULATIE (“Pulatie” or referred to collectively as
6 “Plaintiffs”) hereby move the Court pursuant to Federal Rule of Civil Procedure 23
7 for preliminary approval of the Parties’ Class Action Settlement. Specifically,
8 through this Motion, the Parties move jointly for certification of a settlement class;
9 appointment of class counsel and class representatives; preliminary approval of the
10 Parties’ proposed settlement; and, approval of the Parties’ proposed plan to provide
11 notice to the class. This Motion is made on the following grounds:

- 12 I. The proposed Class satisfies the requirements of Rule 23 for conditional
13 certification for settlement purposes only;
- 14 II. The proposed settlement is the product of non-collusive negotiations and is
15 fundamentally fair, reasonable and adequate; and hence, warrants
16 preliminary approval.

17 This motion is based upon the accompanying Memorandum of Points and
18 Authorities, the exhibits attached thereto, all pleadings and papers on file in this
19 action and upon such other matters as the Court deems proper.

20
21 Respectfully submitted,

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23 **HYDE & SWIGART**

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25 Date: July 7, 2015

26 By: /s/ Joshua B. Swigart
27 Joshua B. Swigart, Esq.
28 Attorneys for Plaintiffs

[Additional Plaintiff's Counsel]

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